

REMARKS

Reconsideration of the anticipation rejection based on Fig. 2 of Li is respectfully requested.

The Examiner held that matrix 21 of Fig. 2 is operative to switch a first wavelength λ_j , and that matrix 22 of Fig. 2 is operative to switch a second wavelength λ_k . Applicant respectfully submits that this holding should be reconsidered, because, in fact, the matrices 21 and 22 switch the *same* wavelength.

As described at col. 7, lines 37-50, of Li, Figs. 1-22 describe a first embodiment, and Fig. 23 describes a second embodiment. The second embodiment “uses two different wavelengths for working traffic and protection traffic”, thereby drawing the distinction that the first embodiment uses a *single* wavelength. Indeed, as the Examiner will note upon reconsidering Fig. 1, the first embodiment describes a SONET network in which a single wavelength is employed.

To repeat, applicant’s claimed invention has at least the following two distinguishing features over Li:

1. Applicant’s protection and wavelength channels employ two, different wavelengths. In Li’s first embodiment of Fig. 2, the protection and wavelength channels use a *single* wavelength. Only in Li’s second embodiment of Fig. 23 are different wavelengths used for the protection and wavelength channels.

2. Each single wavelength channel in applicant’s invention is switchable by only a *single* switching matrix at each node. Thus, applicant’s wavelength channel λ_1 is only switched by switching matrix S1 at each node. In Li’s first embodiment of Fig. 2, *two* switching matrices 21 and 22 are used for the single wavelength. In Li’s second embodiment of Fig. 23, *two* switching

matrices 70, 70 are used for the first wavelength λ_j , and *two* more switching matrices 80, 80 are used for the second wavelength λ_k .

There does not appear to be any motivation or suggestion in Li to utilize only a single wavelength selective switching matrix for each wavelength channel, and to minimize the number of switching matrices used. Indeed, Li's inclusion of "additional" switching matrices teaches against the approach of the present invention. It is, therefore, submitted that claim 25 is novel and not obvious in view of Li. It follows that dependent claims 26-30 are also novel and non-obvious in view of Li.

It is believed that this application is in order for allowance.

If the Examiner believes that the wording of claim 25 could be further improved, then he is invited to *telephone the undersigned* to discuss any such improvements.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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